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REMARKS

OF

HON. MILTON S. LATHAM, OF CALIFORNIA,

UPON

SLAVERY IN THE STATES AND TERRITORIES,

AND

1866

THE DOCTRINE OF AN "IRREPRESSIBLE CONFLICT" BETWEEN
"LABOR STATES" AND "CAPITAL STATES"

DELIVERED IN THE SENATE OF THE UNITED STATES, APRIL 16, 1866.

Mr. PRESIDENT: It is now nearly eighty-four years since this great country, comprising an area larger than that ever swayed by a republican Government on earth, was introduced into the family of nations, filled with the consciousness of future power, and encouraged by the sympathies and applause of the civilized world.

Our institutions were admirably adapted to the spirit of the age; they were the result of the progress of political ideas, the fruits of an advanced civilization, and the experience of past centuries.

They breathed a higher appreciation of the dignity of man than that which had been nurtured by the superstition, cruelty, and injustice of the feudal system; and embodied, perhaps for the first time in the history of the world, the genius of humanity in legislative forms.

We have, with a few trifling exceptions, enjoyed uninterrupted peace, unbounded national prosperity, and a degree of success in our agricultural, manufacturing, and commercial pursuits, which have made our country an object of emulation and envy to those whom we have already distanced in the race for wealth and power.

Millions of enterprising and energetic men from foreign countries have flocked to our shores, to share with us the blessings of our institutions and laws; and we have become the exemplar of the world's progress, to whom the oppressed and dissatisfied of all climes point with exultation as the realization of their cherished hopes. Yet what have we done, during all that time, in the most advantageous position in which a nation has ever been placed since the commencement of the historical period? Have we originated any new ideas? Has our progress in political ethics and philosophy kept pace with our immense material development? I am afraid these questions must be answered in the negative.

For nearly a century has the legislative mind of this country spent its energies almost exclusively in the consideration of a United States Bank, the Tariff, and last, though not least, on the all-absorbing and most mischievous topic of NEGRO SLAVERY. Every other idea seems to have been swallowed up and annihilated by these three. Even our achievements by land and by sea, the acquisition of vast territories,

and the formation of new States, seem to have been little more than episodes in our history, when compared to the agitation, strife, and threats of dissolution produced by these three unhallowed sisters.

The bank has fortunately received its quietus, by the healthy and beneficent operation of the sub-treasury; but the tariff, and more especially the slavery question, continue to keep Congress and the whole country in a state of feverish excitement; not only interfering with and preventing wholesome legislation on other and more congenial topics, but embittering the feelings of the people of different sections of our common country, and endangering thereby our domestic peace.

The tariff and slavery questions have assumed a purely sectional aspect, affecting, as it is believed, the two great geographical divisions of the country very unequally, and appealing especially to the prejudices and superstitions, to theupidity and love of power of those who allow themselves to be swayed by them.

The northern States, we are told, are manufacturing, and require a protective tariff, or, at least, a "revenue tariff, with incidental protection;" while the South, from the institution of negro slavery, is necessarily devoted to agriculture, and, for that reason, interested in the principle of free trade.

On the other hand, negro slavery is, by many northern politicians, considered an element of political power; which consideration, it may fairly be presumed, has more to do with their conscientious opposition to it than all the questionable philanthropy of their champions and deluded followers.

Every public measure, whether affecting our foreign or domestic policy, has been turned and twisted so as to answer the particular ends of partisans for or against protective tariff; and the same holds, in a still greater degree, of all things in regard to negro slavery.

These two questions have been made the lever by which men are to be raised to political power and influence. All others have become subordinate to them, not even excepting those which involve our national interests and our national honor. And it is a remarkable fact, Mr. President, that, in the consideration of both these subjects, the widest scope has been afforded to selfish passions, and the least to historical and philosophic inquiry.

Upon the 29th of last February, this body listened to a speech from the honorable Senator from New York, (Mr. SEWARD,) in which the "irrepressible conflict between free labor and labor performed by negro slaves" was reiterated, and if it may not have evolved new ideas, or thrown new light upon the subject, it certainly presented the question in an attractive form.

The Senator divided our Confederacy into "labor States" and "capital States"—a division no doubt very palatable to the Senator's Republican followers, but incapable of conveying a distinct idea, either to the political economist or to the student of history.

Sir, I do not know of a single modern State which is not a "capital State" and a "labor State" at the same time; and I am equally ignorant of the existence of a State where capital and labor do not hold to each other, more or less, antagonistical positions, except it be the slaveholding States of the South, in which labor and capital are associated in the same hands.

If capital, according to Adam Smith's teaching, consists in the accumulated wages of labor, it is very clear that the power of capital

must increase in proportion as the wages of labor diminish, and that the interest of the capitalist, so far from being parallel with that of the laborer, is, in fact, opposed to it; as is abundantly proved by the condition of the laboring man in the free States of the North, and by the still more lamentable position of the laboring classes of Europe, where capital is concentrated in fewer hands, and where it had a longer time to operate and oppress the laborer than is the case in this country, with our comparatively sparse population and immense fields of enterprise.

Let population increase, let labor become cheap, dispose of our public domain, and diminish thereby the avenues of wealth, and our "labor States" of the North will be far more absolutely under the control of the capitalist than any portion of the white population of the southern States of our Confederacy, whom the Senator from New York would stigmatize as "capital States."

Our democratic institutions may protect the free laborer to a certain extent, but they cannot guard and secure him against the *invisible encroachments* of capital, and that silent working of *competition* which in all countries has reduced the condition of the laboring classes to one of almost hopeless dependency on capital, terminating too often in sickening hardship, if not in servitude.

With the organization of labor as it exists in Europe and in our northern States, wages must constantly approach a point threatening to the physical well being, if not the absolute existence of the laborer; for the laborer **MUST** work to live, while capital only employs him when his labor is remunerative, which is too often, in proportion as wages are reduced, to the starvation point.

When no work is required to be done, the laborer is wholly deprived of the means of subsistence, and has no longer any interest in the State which has grown rich by his industry.

Sir, the political institutions of a country have very little to do with the relative position of capital and labor; for the laboring classes, whether manufacturing or agricultural, are no better off in England, for example, than in India or China.

Where labor and capital are divided there will be competition for work, which is death to the laborer, while it adds to the wealth and power of the capitalist.

It is the relation of labor to capital which threatens the political *status* of every country in Europe, which has given rise to the doctrine of the Socialists, and which requires the presence of standing armies to secure domestic peace. The great problem of European government consists in finding employment for the working classes, and at the same time to raise their wages to a point sufficient to sustain animal life.

And in this respect our northeastern States do not materially differ from the States of Europe. The difference, *at this period*, consists merely in our greater demand for labor and our less abundant supply.

In the face of these facts, which are patent and familiar to every reflecting mind or impartial observer, what sophistry it is, with all deference to the Senator, to divide our States into "capital States" and "labor States!"

No one in this Chamber more thoroughly understands than he, with his cultivated intellect, the *unconquerable antagonism* between capital and labor; or appreciates more truly the instinctive dread of the laboring classes to the influence and grinding power of capital; and

hence, it seems to me, he has, for political effect alone, selected these terms; applying the one indiscriminately to the majority of his political opponents, and the other to the majority of his political followers.

One would suppose, from his description of the operation of labor in our northern States, that they were either all inhabited by laborers, or that, where capital and labor exist at the same time, they shared alike the profits of their association. The case, however, is widely different. Suppose Mr. Lawrence, or Mr. Abbott, or Mr. anybody else, establishes a cotton factory: how does he go to work? There are some three or four hundred men, women, and children, all desirous of being employed, entering into co-partnership with him; pledging their time, labor, and health, to the promotion of the common object.

There are, in addition, inspectors and foremen, machinists and clerks, doing the same thing on conditions a little more favorable to themselves.

And then comes Mr. Lawrence, Mr. Abbott, or Mr. anybody else, who gives a piece of paper, with his name written upon it, representing a capital of \$50,000! For it is the peculiar faculty of capital that it can be multiplied by *credit*, and that a man worth \$50,000 in cash may have credit, and do business to the amount of millions; while the laborer, for whom the Senator from New York has such a particular regard, has but two hands which can earn him only so many meals and when these hands stop, by reason of remaining unemployed, the meals stop also, and the functions of the stomach with them.

When there is a diminished demand for manufactured goods, the manufacturer employs but half the number of men, women, and children, or employs them only for a less number of hours, while the cravings of their systems remain the same, though the means of satisfying them are reduced to one-half.

The three or four hundred men, women, and children, nevertheless, remain in the partnership; and if the building in which they perform their daily task does not tumble down on their heads, they manage to **LIVE**; and at the end of some years, how do you suppose the profits of capital and labor are divided? If they have done a lucrative business, they must, as one would suppose from the Senator's remarks, have made something handsome by the operation. But the fact is, the laborers have spent their wages in procuring food and raiment, while Mr. Lawrence, Mr. Abbott, or Mr. anybody else, has become a millionaire! If the business was less profitable, or connected with loss, then the probability is, the men, women, and children, have been worked but half the time, and have been but half clothed and fed, or they were entirely discharged; while the man who has given his **PAPER** as his share of the risk, obtains an extension, or settles with his creditors for fifty cents on the dollar! After the pressure is thus removed, he commences with new hands, or with the same hands, if they are still alive, and capable of performing work. He may succeed this time, but the workman remains as poor as he was when he started in business.

In the one case the paper man, the capitalist, becomes rich; in the other, his creditors foot up the loss; the laborer, in either case, remains dependent on the capitalist. Such is the nature of the association of capital and labor in the northern States, and in all countries where free labor is obliged to compete for wages.

The wages of labor are constantly tending to the minimum of what will support life; and if the laborer, harassed and exhausted by the

scantiness and uncertainty of his support, dies, he is quickly replaced by another, who runs the same career of poverty and want.

And now, Senators, how are these things in the southern slaveholding States? There the owner of the slave is undoubtedly the capitalist, but his property consists in the labor force of the country, and it is a labor force which must consequently be taken care of, *whether employed or not*; for if it perishes, the capital employed in it perishes with it.

Capital there, had no interest in diminishing the wages of labor; hence there is no competition among the laborers, and no disposition to work them at starvation prices, to the destruction of their health and comfort.

Yet these States the Senator from New York calls, "*par excellence*," the "capital States," to render them as odious as possible in the eyes of the laboring and *voting* classes of the North.

In a book, no doubt intended to illustrate the views of those who agree with the Senator from New York, called the "*Helper book*," a series of statistics is furnished to show how the North has been injured by the South, and how far the value of the products of northern industry exceeds that of the industry of the South.

Now, supposing these statistical tables to be all correct, what do they prove, but that the laboring man of the North has been worked *harder* than the laboring man of the South, and that the capitalists of the North have derived a larger profit from him.

The majority of the people of the North are not property-holders or capitalists; the majority are laborers, and the relation of the capitalist to the laborer, and of one capitalist to another is such that one species of capital is employed in competition with another, tending not only to diminish wages, but also the number of capitalists.

And if wages and profits, by this compound competition, have not reached the lowest mark of which they are susceptible, it is because the South with its slaves has not entered into this competition. It confines itself to agriculture; it abandons manufactures to the North; and by furnishing a *market* for the products of northern labor, keeps up the demand for, and thereby the price of, that labor. Does the Senator from New York, does any other reasonable man, suppose that, if the South turned its attention to manufactures and the mechanical arts, the products of northern industry would be as valuable and remunerative as they are now? Not only would the markets for these products diminish in the southern States, but the products themselves would be multiplied; thus diminishing prices by the double operation of greater supply and a diminished demand. That for which the South is reproached in the Helper book, ought really to be a source of congratulation to the North, to the laborer as well as to the capitalist; to the laborer, because it tends to keep up wages; to the capitalist, because it postpones the period at which the conflict between him and the laborer may threaten his wealth, if not his personal security.

It seems to me, sir, that the North, in this crusade against the South, is quarreling with its own source of prosperity. If the South holds the relation to the North attributed to it by the Senator from New York, as illustrated by the Helper book, the North possesses, in the southern States of this Confederacy, the most magnificent colonies of the world; and it is its interest to preserve them as it was the interest of Great Britain to do so, and to secure thereby the best market for its industrial products.

Graham, in his History of the United States, alludes to the plea of the American agent for the colonies, with the British minister, in behalf of a grant of some twenty thousand pounds, made by Parliament to William and Mary College, in Virginia, and which the agent claimed for the benefit of the souls of the poor colonists; to which the British minister is said to have replied: "*Never mind (or something worse) their souls; let them plant tobacco!*"

Now, why should not the Senator from New York be equally generous to Virginia and her sister States? Why should he insist on their becoming competitors with northern labor? Why seek to diminish the price of northern labor? It was not the interest of Great Britain to let a single clothes-pin or shoe nail be made in America, or any other article from the manufacture, sale, and transportation of which she might derive a profit; and the same may now be said of the northern States of this Union with reference to the South. The northern States, in their trade with the South since the Declaration of our Independence, have taken the place of Great Britain; and it seems to me that northern politicians are sadly betraying the best interests of their constituents when they interfere with southern institutions and set the different States of our common country by the ears for the sordid purpose of obtaining power. They quarrel with their best customers, the natural ally of northern industrial labor, and the best protector of the northern capitalist whom they enable to live in peace with the men in his employ and to accumulate colossal fortunes.

There must be a conservative power somewhere in this Union, and it is in vain to look for it among the constant mutations and changes in the northern States. The South, from the nature of its institutions, is slow in its movements; but for that very reason eminently conservative. The South is indispensable to the prosperity of the North. The North is beneficial to the South only as long as it fulfills the conditions of the constitutional compact, entered into to secure to all parties the peaceful enjoyment of their institutions and laws. I have deemed these remarks not inappropriate, and as due to the argument of the Senator from New York, regarding him as a great leader and as a distinguished political economist. Let me now beg your indulgence while I examine the sentimental part of the slavery question. It is my humble opinion, Mr. President, that the slavery question, with which professional politicians are endeavoring to agitate and disturb the country, would long since have ceased to be an element of mischief, if it were not constantly kept alive and pressed on the consideration of the public as a question involving the highest principles of morals and religion. Teachers and schoolmasters have acted as auxiliaries to political partisans, until at last they inflame the fanaticism of their deluded victims to deeds of treason, bloodshed, and murder.

The evil lies in the misconception, on the part of the people of the North, of the institution of negro slavery as it exists in the southern States, and in the wrong estimate formed by them of the character and faculties of the negro. I may be permitted to speak freely upon this question, for I do it dispassionately. I represent a free northern State; I am a native of a northern State, as were my ancestors before me; but I have had sufficient experience, by a residence of a few years in a southern State, to thoroughly appreciate and understand the relation that the negro slave bears to his master, and I also believe that public opinion in time will right itself upon this subject.

it is the nature of error to travel fast, and of truth to make progress slowly. . The one has wings, the other, the slow march of the pilgrim. In this consists the danger. The slavery question, it is my humble opinion, would be set at rest in a very few years if we would only apply ourselves earnestly to the study of the nature and history of the negro, instead of endowing him with qualities furnished from the rich stores of our own imagination.

The negro is, undoubtedly, a worthy man in his place ; but he never will be a participant in civilization in an equal degree with the Caucasian. It is sheer nonsense to treat this matter in the abstract ; to speak of what the negro would be if he were educated, and of what achievements he would be capable in the various departments of human industry and knowledge, if he enjoyed the same advantages as the white man. All such arguments and suppositions are nothing but moonshine—a mere begging of the question. They amount to nothing more than the various theories of government established by philosophic dreamers without a knowledge of men's passions and vices, and the means which are necessary to restrain them. History is the only safe-guide to the lawmaker, as it is the last judgment pronounced on nations and races.

Instead of inquiring what the negro *might be* under different circumstances from those in which he is now placed, let us consult the past to see what *he has been* from the earliest period to the present day. The earliest civilization which we can trace by historical records occurred in Egypt, and we find that the negro was already associated with it as a slave. His native country may be said to have bordered on Egypt ; yet no Egyptian civilization penetrated thither, and no traces of it are now to be found among the negro races in Africa. Greeks, Phœnicians, Carthaginians, and Romans followed. The negro was again brought in close contact with them, but without profiting by their advanced civilization. Then came the Portuguese, Spaniards, French, Dutch, English, and the Americans, with nearly the same result.

The negroes who became subject to those nations or their colonies were slaves. Some were emancipated ; none carried civilization into Africa ; and that continent, though the cradle of genius, is at this moment the most barbarous of all and the least known to the geographer and historian. The history of the world is the history of the Caucasian race ; making a distinct and an uninterrupted *progress* even amid crumbling empires and the ruins of burning cities.

Sir, if every trace and record of all other races were destroyed, the world would not be deprived of a single noble thought or artistical conception, nor of a single invention or contrivance in mechanical arts capable of exercising an important influence upon civilization. *Progress*, Mr. President, is a Caucasian term, existing in all Caucasian languages, and expressing the characteristic faculty of the race. Let the Caucasian race disappear from the earth, and you will have nothing left but the stereotyped civilization of the Chinese and Japanese, and the barbarism of the Ethiopians. And from these historical premises would our northern Republican philosophers argue that the negro only requires the same advantages of education as the white man to be equal to him in every respect, and to maintain all the relations of a civilized state? Sir, the negro did enjoy the same advantages as the Europeans enjoyed them centuries in advance of European civilization.

Negro tribes were subdued by their white neighbors, and forced, as they are with us, to adopt certain principles of humanity and law for the regulation of their conduct ; but these principles did not cling to them, for they were not *voluntarily* adopted, and were repugnant to their tastes. When the condition of the negro was changed, when the pressure which forced him to move in a particular direction was removed, he gradually relapsed into his native barbarism. Nor does the fact that civilization was forced upon the negro furnish an apology for the little progress he has made in it. The different European nations conquered by the Romans exhibited very different capacities. Ancient Gaul was completely civilized within a century after the Roman conquest, while the Tentonic races, who were never entirely subdued, never adopted Roman civilization until centuries after the fall of Rome ; but they all adopted it *voluntarily*, and *improved* upon it, whether as conquered races or conquerors. They bowed to the superior genius of those who were further advanced in the arts, and retained and cherished the models of taste and thought as the most invaluable treasures of the whole human race. The Romans pursued this line of policy in regard to the Greeks, and all European races have done so in regard to the Romans.

The negro has done nothing like it, and is doing no such thing now. He merely *adheres* to civilization when he is obliged to move in a civilized medium. Under the most favorable circumstances he has been but an humble imitator ; in no instance has he exhibited a civilization of a distinct character, amounting to a national development. The history of human progress can be written without devoting a separate chapter to the negro. He has taken no part in the development of the human mind ; he has furnished no contributions to arts, and he has never exhibited any capacity for that superior political organization called a Government. Sir, we have no other means of judging individuals, nations, or races, except by their works ; and applying this principle to the negro, we see that he has done nothing. Under the direction and guidance of a superior race, he may at times have rendered himself quite useful, but we have no proof that he has ever voluntarily played such a part ; and until history furnishes us with an example of that sort, I shall be the last man to call upon my white brethren of the southern States to inconsiderately remodel or change their domestic institutions.

We have nothing to do with speculations in regard to the physical and moral capacities of the negro. We have, as legislators, to deal with facts, not with theories ; with things as they are, not with myths and abstractions. Whether the negro was the equal of the white man before the flood ; whether he is a lineal descendant of Adam and Eve, or the result of a previous or subsequent creation, is no question for a law-maker, and intrinsically of little or no value. We have to deal with the negro as he is, as he has shown himself from the earliest periods of human history, and as, from our knowledge of him, he is likely to be centuries hence.

Kept in proper subjection, and guided by a superior intelligence, he may be both happy and useful on this continent. Left to himself, and but imperfectly restrained by the operation of law, his presence among us may give rise to great national calamities, and seriously interfere with our domestic peace.

I do not think the agitation of the slavery question will benefit the negro or improve his condition among us, while it undoubtedly weak-

ens the ties by which ourselves are bound together as a nation, and exposes us to all the evils of a people divided by sectional passions and prejudices. If you, gentlemen of the Republican party, are sincere in your profession of philanthropy, if you really want to improve the condition of the negro, and not merely to use him as a stalking horse to ride into power, let him alone, and cease agitating the country with your seditious eloquence and your arguments addressed to spinsters. The people of the southern States will not be instructed by your teachings; your counsel will be spurned with indignation, and your professions of fraternal feelings will be received with very little faith in your sincerity.

As long as you make the slavery question the battle-cry for your sectional adherents, it is impossible for the South to trust you or to look upon your proceedings with indifference. Abandon it, and the South will again unite with us upon all questions concerning our common welfare. The South claims nothing but her constitutional rights. The North is already in possession of all the real practical advantages of position and power. The South is willing, and must submit to an accomplished fact. Why should the North insist on upsetting the constitutional theory or heaping opprobrium upon an institution for which the South is not responsible, and with which the North has no right to interfere? There is a universal law of nature that life of any kind, whether vegetable or animal, will go wherever there exists the conditions of its existence, and the same holds of men and races.

The negro will go on this continent, wherever may be found the conditions of his existence, wherever his labor is profitable, and wherever, under the protection of his master, he is safe from that competition with his labor, which is sure to be his destruction and death; *and he will go nowhere else!* Now, why should you insist on making by-laws to the laws of God, useless and puerile in themselves, and offensive to a large portion of the people of this Union? The Kansas question has long since been practically settled. It was settled only by the universal law of nature just quoted. By letting slavery alone, it will always quietly work out its own destiny. If interfered with by us of the North—if artificial checks or artificial stimulants be applied—the consequences may be disastrous to both the black and the white races, and equally so to our laws and institutions. The “irrepressible conflict” with which we are threatened, is the creation of politicians for their own ends. It does not exist in reality, and cannot take place until the Constitution is torn into fragments, and the bonds of our Union are destroyed forever.

Slavery has existed in the United States from the time of the adoption of the Federal constitution, and we have prospered with it as a nation.

The northern States have abandoned it, because they found it no longer profitable to them; but they have done but little, if anything, towards educating the negro, and liberty has not materially improved either his conditions or his morals. That which the North has done for the negro is very far from inviting the South to follow its example. The South cannot afford to have so large a portion of its population abandoned to idleness and vice. It cannot, with the same facility as the North, replace black labor with white labor; and the cotton, rice, and sugar States cannot do so at all. What control of the negro could be substituted in these States ~~for~~ that of their present condition?

I know of none, and the Senator from New York knows of none. He would be sadly puzzled if the South, instead of repelling his views, were to accede at once to them, and to ask him to furnish the means to carry them into practice without ruining the South, and injuring, in the same ratio, the North, and without reducing the negro himself to a worse condition than that in which he is now content, happy and useful. Yet that which the Senator from New York cannot do himself, which his whole party is incapable of accomplishing, he is determined to force on the South, by representing it to the whole country as an unavoidable issue, as an "irrepressible conflict." He asks the people to choose between African slaves and white freemen; as if such a question could really be put; as if such a practical issue could ever be presented to the country. The conflict between African slaves and white freemen exists nowhere, and least of all in the southern States.

The white freeman and the African slave will never, *never* come in conflict with one another, so long as each shall preserve his proper place, so long as aspiring politicians and political demagogues shall be prevented from conjuring up delusive phantoms, with which to disturb the imagination and trouble the good sense of the people. Slave labor and free labor, so far from being opposed to one another, assist each other mutually by varying and multiplying production. As long as the southern States shall employ slave labor, they will be the best customers of the North, and the negro, instead of conflicting or competing with free white labor, will serve to keep up the price of it. As long as the negro is usefully employed in the southern States, he will stay there, and not go to the North to compete with the wages, either of the white native freeman, or of the immigrant from Europe. The conflict between the African and the white man *can only begin with the emancipation of the negro, not before!* There is no disposition on the part of the South to force slavery upon the North, no more than there is a disposition on the part of northern manufacturers to force their fabrics on a bad market.

The South is merely contending for her constitutional rights, no more; and to refuse to acknowledge these is an infringement of the constitutional compact which binds us together as a nation, for no possible advantage to either section. The "irrepressible conflict" is a northern abstraction, alike opposed to the Constitution, the Union, and the best material interests of the whole country. It is nothing but a political formula, spreading dread and alarm throughout the land, inviting to sectional passions and prejudices, and inflaming the fanaticism of men who would otherwise be useful members of society, and in pursuit of some profitable business. The "irrepressible conflict" is a political lever in the hands of sectional politicians, not an unavoidable issue between the different sections of the Union. As to the query of the distinguished Senator from New York, "whether civilization can improve, whether Christianity can save?" I do not see what application it has to the slavery question. Civilization necessarily takes different forms, and there are some forms of civilization which are no improvement at all, either to the physical or moral man.

Few of us would wish to revive Greek or Roman civilization, though both were, in some respects, superior to our own. The French are the most eminently civilized people of Europe; yet none of us would willingly transfer French civilization, with all its concomitants, to our shores. The proposition that civilization improves, must

therefore be taken *cum grano salis*; and I would especially except from it the civilization which seems to be the *beau ideal* of the Senator from New York. As to the other proposition, that "Christianity can save," no one can deny it. But the Senator from New York is so renowned an expounder of the "higher law," that a doubt may reasonably arise whether Christianity, *as he understands it*, is the same as that which our simple forefathers practiced when they framed the Constitution of this country; and whether the saving qualities of that species of Christianity actually extend to the toleration of such errors as the Senator from New York wishes to propagate throughout the length and breadth of our land.

Sir, religion has gained nothing from being mixed up with politics, but may lose much of its sanctity in the estimation of men by being made subservient to partisan ends. I will not follow the honorable Senator from New York, into what I conceive is a labyrinth of error and confusion, much less will I imitate his example. The Christian religion is one of peace, not of strife and contention. It does not, like that of Mohammed, present an "irrepressible conflict" between the faithful and the infidel, to be terminated in the last instance by the sword. Hence the great distinction between the Christians and Turks, and hence the adaptation of Christianity to modern civilization, and the incompatibility of Mohammedanism with all rational progress in politics and morals.

Jesus Christ, the Divine founder of our holy religion, lived and talked surrounded by slaves, subject to a Roman master, and yet nowhere did He preach the doctrine of the "irrepressible conflict," or stimulate the Jews to rebellion and bloodshed. It was those who believed in the "irrepressible conflict" that called for His crucifixion.

I have said that it is the duty of the North to let slavery alone. If all parties were agreed on emancipation, they would be at a loss for the means to accomplish it without ruining the prosperity and industry of the whole country and destroying the negro. Experience, the only safe guide of the statesman, has shown the danger with which such a subject is surrounded and the destructive consequences to which it may lead. In the face of historical results, produced elsewhere, under circumstances far more favorable than those in which our southern States are placed, and under a Government possessing far greater coercive powers than our own, we are bound, looking to their example, to exercise caution. The West India experiment is not inviting us to hazard our peace, our security, and the great commercial and industrial interests of this country, by yielding to the demands of political fanatics, who would substitute sentiment for duty, and their own views of right and wrong for the Constitution and laws of the land. Government, as has often been remarked, is a business, not a sentiment; and he is but a poor statesman, though he may be a successful politician, who views it in a different light and acts upon a different principle.

We are continually told in this body that the Republicans, as a party, do not intend to attack slavery in the slave States, but merely mean to confine it to its present limits. I cannot believe such declarations are founded in truth or are sincere on the part of those who make them, and are to my mind utterly incompatible with the organization of sectional parties. As long as there is a party in the United States which does not recognize the Constitution and the decisions of the Supreme Court as the supreme law of the land, as long as a party

is permitted, as a *sectional* party, to revile the institutions of the South and to excite hatred and contempt for them among its adherents, there can be no peace, no safety for the South, and consequently no fraternal feeling between the people of the different sections of the country, and no national sentiment in the loftier sense of the word.

The *whole* slavery agitation must cease, the "irrepressible conflict" must be abandoned, if our Federal Union is to be preserved; if we are again to act in concert with one another and weigh in the scale of power as a united and kindred people.

I, for one, am willing to recognize the supremacy of the Constitution. I am willing to submit to the decisions of the Supreme Court, and to adhere, to the fullest extent, to the compromises which our fathers entered into for the sake of peace and union, and which it is our duty to uphold and defend for our common safety. There is no security, no peace, no hope for our institutions and laws, or for the continued prosperity of our country, in any other course; and the time is close at hand when the immense majority of the people of all the States, North, South, East, and West, will come to the same conclusion.

Fanaticism may prevail for a while, but our people are too eminently practical to be for any length of time led into error, or made to war on their best interests. Even now, while professional politicians are hard at work to keep the excitement alive, they are rebuked by the sound, sensible, business men of the country, who repudiate them and their pernicious doctrines in the most effective manner, by the total indifference with which they behold their proceedings, and the renewed energy with which they devote themselves to their accustomed pursuits. The people of this Union, Mr. President, are not alarmed. They neither covet nor desire an "irrepressible conflict." They pursue "the even tenor of their way." They toil to become rich; and the business of the country is going on as usual. Why is this? The reason is, the people know they have the power to control the politicians, and if necessary, can put them down. The people know of no *conflict*. They are willing to go on as they have done, content, prosperous, and happy. They want no other constitution than the one inherited from our ancestors; no other sovereignty than the one they have always enjoyed from the Declaration of our Independence. We have as yet no class among us hopelessly doomed to poverty and want. Our institutions give all men an equal chance; and if all do not succeed, if all do not become opulent or rich, every one, nevertheless, has a prospect of success, which animates him and stimulates him to individual exertions.

Sir, the slavery question has lasted too long. It has been productive of no good, but it is fraught with great mischief. It has disturbed our amicable relations; it has sown the seeds of distrust, discord, and hatred between different sections of the same people, and it is threatening our existence as a nation. It is surrounded with dangers in every direction, and saps the very foundation of our Government. The people of the State which I have in part the honor to represent yield to none other in attachment and devotion to the Union. They view with deep regret the efforts of those who seek to obtain power by weakening this attachment, and are resolved to throw their weight and influence in favor of the laws and institutions as they stand. California wants no new code—neither a "slave code" nor a "free-soil code," nor any new theory of "popular sovereignty." She respects

and will ever cherish a proper regard for established laws and vested rights.

The Constitution, as handed down to us by Washington and Jefferson, answers all our purpose. We ask nothing more, nor are we willing to content ourselves with less. We will not allow that sacred instrument to be mutilated, nor shall—as long as we have a controlling voice in the national affairs—any new interpretation be put on its provisions. The Constitution is good enough as it is; the laws are satisfactory to us, and shall be faithfully executed as far as we are concerned. But I fully agree with the majority of my colleagues on this floor in the opinion, that if the Judiciary and Executive authority of the country do not possess the means to insure adequate protection to constitutional rights in the Territories of the United States, or if any territorial government should fail or refuse to provide the necessary remedies for that purpose, it will be the duty of Congress to supply that deficiency. I am willing to aid in the performance of that duty whenever a proper exigency arrives; but I am utterly opposed to anticipating it, because I have an abiding confidence in the loyalty and patriotism of the people, and in the ultimate good sense of those who, however misled they may be by professional agitators or by their own passions, need only be made to perceive whither their doctrines will carry them, to return at once to their allegiance, and to a proper appreciation of their obligations as citizens of the United States.

I am opposed to all anticipations of evil, because I feel assured that the country is not yet in that lamentable situation in which legislators must take counsel of their fears. I have too much faith in the conservative sentiment of all the people to suppose that they will ever patiently submit to a deliberate infringement of the Constitution and the rights of the States, if they can be made to understand the purport and consequences of such an act. I think our institutions are strong enough and sufficiently endeared to the people of every section of the country to be maintained without additional legislation, and I still hope that any section which may feel aggrieved by the course to which the excess of party feeling is now tending, will find ample relief *inside* of the Union, and under the protection of the coördinate branches of our Government.

The remedy for any wrong that may be inflicted on any portion of our beloved country is still in Congress, in the President, and in the Judiciary. As long as any one of these coördinate branches performs its duty to the whole country, we are safe; and until they all prove derelict to their solemn engagements, no fear need be entertained in regard to the Union.

Admitting that the South has strong reasons to be offended and to feel aggrieved by the proceedings of one of the political parties in the northern States, I still hope to defeat that party by the patriotism of that portion of the people of the North who have remained true to the Constitution and the Union, and by the united action of the South itself. If, however, I am mistaken in my hopes; if a sectional President is to be elected by the preponderance of a sectional party, then I would still pause to see whether none of the coördinate branches of our Government was faithful to its trust; and if I found the Senate and the Supreme Court of the United States so constituted as to afford sufficient protection to southern rights, I would abide their action, and trust to their power to uphold the law and Constitution until “the sober second thought” of the people came to the general rescue.

Sir, I have an abiding faith in the people ; in their common sense, their love of justice, and their patriotism. Unless we confide in their virtue and good sense, we deny the possibility of republican government. Without such confidence in the people, our Government is, in its very inception, a miserable failure. I hope we are not yet reduced to make such a beggarly confession of our incapacity for self-government, as to declare, in the face of the civilized world, that we are morally and politically bankrupt, while all Europe points to our institutions and laws as models for imitation, and to our success as demonstration of their soundness. We have incurred a heavy responsibility to our contemporaries and to posterity by the example we have set, by the expectations we have raised, and the desires we have kindled in the hearts of millions ; and, as an humble Senator of the United States, I am willing to acknowledge that responsibility, and to devote whatever share of talent and energy, God may have granted me to the preservation of our institutions and laws, with and through the assistance of the people.

In regard to the Territories, I hold, that they are the joint property of all the States ; that they were acquired by the common blood and by the common funds of all the people of this Union ; that all the people have a right to go there with such property as they may see fit to take, and are entitled to the protection and enjoyment of it so long as they remain in a territorial form of government. I agree with the sentiments of the honorable Senator from Illinois, (Mr. DOUGLAS,) as expressed so far back as 13th of February, 1845, in his speech on the admission of Iowa and Florida into the Union, reported in the fourteenth volume of the Congressional Globe, wherein he says :

"That the father may bind the son during his minority, but the moment that he (the son) attains his majority, his fetters are severed and he is free to regulate his own conduct. So, sir, with the Territories ; *they are subject to the jurisdiction and control of Congress during infancy, their minority*, but when they attain their majority, and obtain admission into the Union, they are free from all restraints and restrictions, except such as the Constitution of the United States has imposed upon each and all of the States."

This was the old-fashioned doctrine in regard to the Territories, and it suits me on that account. I want no new interpretation, no interpolation, no new hair-splitting distinctions on this subject. I am against all innovations, except they are recommended by some practical utility, and especially against all new theories which appeal to the feelings and prejudices of men without adding to their stock of information.

This Union, Mr. President, is much stronger than many of us believe, and will prove inseparable whenever the parricidal hand of faction may be raised to destroy it. Every government is growing stronger by the exercise of its legitimate powers, and so will our own. It is only when a government endeavors to exercise powers, which do not belong to it that it becomes weak and tottering, until at last it crumbles under its own weight.

If the executive and both legislative branches of the Government—the Senate and the House of Representatives—were to fall into the hands of reckless partisans, and these should try to overthrow the Constitution, I would still appeal to the *Supreme Court*, and if that appeal were equally ineffectual, this Union would indeed be dissolved by the *act of the Government itself* ; but we, who had remained faithful to it to the last, would *not* be answerable for the consequences.

Each State would then be reduced to the situation which it occu-

pied before of our Federal Union, and obliged to work out its own salvation the means it may possess for that purpose. We in California would have reasons to induce us to become members neither of the southern confederacy nor of the northern confederacy, and would be able to sustain for ourselves the relations of a free and independent State.

When my colleague, as it is said, stated upon this floor "that, in case of a dissolution of the Union, California would unite herself to the South," he committed a great error.

Mr. GWIN. If my colleague will give me an opportunity, I will state that I never said so here or elsewhere. I have never made that statement on any occasion. It was so utterly destitute of truth that I did not think it of sufficient importance to contradict it, unless some allusion was made to the subject in the Senate; and I am obliged to my colleague for referring to it, and giving me the opportunity of contradicting it. I hope, Mr. President, that this Union will be imperishable; but if it is ever broken up, the eastern boundary of the Pacific Republic will be, in my opinion, the Sierra Madre and the Rocky Mountains.

Mr. LATHAM. Mr. President, I am glad that I have given my colleague an opportunity of correcting this erroneous impression; for he knows as well as I do that we have resources not possessed by any other State of the Union, while our population comprises the most enterprising and energetic men of the country. Why should we trust to the management of others what we are abundantly able to do ourselves? Why depend on the South or the North to regulate our affairs? And this, too, *after* the North and the South had proved themselves incapable of living in harmony with one another?

The Pacific States are separated from the northern and southern States by a long chain of sterile mountains, by vast deserts, and can be reached easily only by crossing tempestuous seas. The northern Atlantic States are not separated from the southern Atlantic States by any natural barrier. There is no intervening chain of mountains running from east to west; and river courses, as a means of communication, unite people instead of dividing them. If this Union, of which California is now proud to form a part, were to be dissolved, we on the Pacific coast would possess eminent advantages over the Atlantic States. You of the southern, northern, and western States would have to fortify your towns, maintain standing armies, and incur vast expenditures to preserve that independence which we would possess as a gift; and you would fight with one another, as the States of Europe have fought for two or three centuries, to establish a balance of power. We should be subject to no such vicissitudes and should incur no such dangers.

In the long wars which would necessarily follow dissolution, some of your States would entirely disappear, while others would retain but a precarious existence by alternately allying their destinies to one section of the country or the other, as the arms of this or that party might have conquered a momentary ascendancy. To all these mutations and changes—which would involve your rights, your fortunes, and alas! your honor—we should be exposed in a far inferior degree in proportion as we observed a strict neutrality in regard to all of you.

We would regret your feuds, we would deplore the fraternal blood shed on your battle-grounds, we should weep over your declining

But, if all the efforts to preserve the Union should prove unavailing; if the fury of party should triumph over the devotion of the patriot; if mutual hatred and contempt among the States should take the place of love and mutual forbearance; if this glorious Union, strained and torn in different directions, should at last be rent asunder and destroyed forever, then, like the wrecked mariner, who, amidst his sense of woe at the loss of his noble ship, follows the instinct of self-preservation, California would try to save herself, though her existence afterwards would be one of mournful solitude. I cannot, Mr. President, think that the Union will be—on the contrary, I believe that it cannot be—dissolved, except by the complete and hopeless inauguration of Republican principles *in every* department of the Federal Government. And for this reason, I do not believe that this magnificent country of ours is destined, as is too often prophesied in this Chamber, to be torn asunder by internecine strife; that her virgin soil will drink fraternal blood, and her pristine forests will re-echo the battle-cry of hostile factions.

But if I am wrong, and we must do battle upon the slavery issue, Mr. President, as your illustrious kin (Rev. Robert J. Breckinridge, of Kentucky) advised, let us do battle within, *within* the Union, *under* the Constitution and laws of our common country. In such an issue, animated by loyal sentiments to our country, the intelligence and virtue of a free people aiding in the hour of trial, *the right*, whatever it may be, cannot fail, all the threats and prophesies of faint-hearted men to the contrary notwithstanding. For, sir, this Union is too firmly established in the hearts of the American people to be severed by fanaticism; our national prosperity is too great and too generally diffused to be abandoned for the dark and gloomy future of an isolated and divided existence.

The God of nations has showered too many blessings upon us, to withhold from us, in such a crisis, involving our country's fate, his saving grace. This Union, sir, will prove as invulnerable as steel and adamant, and it will stand like a rock amid the raging storms, unshaken, unchanged, unpolluted by the war of contending elements; and so will the *Constitution*, the embodied wisdom of our forefathers, the cherished legacy of high-minded men, who have not intrusted the palladium of their freedom and the talisman of their success to an unworthy, degenerate posterity.

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